

§§ 204.4–204.20 [Reserved]

**Subpart B—Declaration Process**

**§ 204.21 Fire management assistance declaration criteria.**

(a) *Determinations.* We will approve declarations for fire management assistance when the Assistant Administrator for the Disaster Assistance Directorate determines that a fire or fire complex threatens such destruction as would constitute a major disaster.

(b) *Evaluation criteria.* We will evaluate the threat posed by a fire or fire complex based on consideration of the following specific criteria:

- (1) Threat to lives and improved property, including threats to critical facilities/infrastructure, and critical watershed areas;
- (2) Availability of State and local firefighting resources;
- (3) High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Ratings System;
- (4) Potential major economic impact.

**§ 204.22 Submitting a request for a fire management assistance declaration.**

The Governor of a State, or the Governor's Authorized Representative (GAR), may submit a request for a fire management assistance declaration. The request must be submitted while the fire is burning uncontrolled and threatens such destruction as would constitute a major disaster. The request must be submitted to the Regional Administrator and should address the relevant criteria listed in § 204.21, with supporting documentation that contains factual data and professional estimates on the fire or fire complex. To ensure that we can process a State's request for a fire management assistance declaration as expeditiously as possible, the State should transmit the request by telephone, promptly followed by written documentation (FEMA Form 90–58).

**§ 204.23 Processing a request for a fire management assistance declaration.**

(a) In processing a State's request for a fire management assistance declaration, the Regional Administrator, in coordination with the Principal Advisor,

will verify the information submitted in the State's request.

(b) The Regional Administrator will then forward the State's request to the Assistant Administrator for the Disaster Assistance Directorate for determination along with the Principal Advisor's Assessment and the Regional Summary.

(1) *Principal Advisor's assessment.* The Principal Advisor, at the request of the Regional Administrator, is responsible for providing us with a technical assessment of the fire or fire complex for which the State is requesting a fire management assistance declaration. The Principal Advisor may consult with State agencies, usually emergency management or forestry, as well as the Incident Commander, in order to provide us with an accurate assessment.

(2) *Regional summary and recommendation.* Upon obtaining all necessary information on the fire or fire complex from the State and the Principal Advisor, the Regional Administrator will provide the Assistant Administrator for the Disaster Assistance Directorate with a summary and recommendation to accompany the State's request. The summary and recommendation should include a discussion of the threat of a major disaster.

**§ 204.24 Determination on request for a fire management assistance declaration.**

The Assistant Administrator for the Disaster Assistance Directorate will review all information submitted in the State's request along with the Principal Advisor's assessment and Regional summary and render a determination. The determination will be based on the conditions of the fire or fire complex existing at the time of the State's request. When possible, the Assistant Administrator for the Disaster Assistance Directorate will evaluate the request and make a determination within several hours. Once the Associate Director makes a determination, the Associate Director will promptly notify the Regional Administrator. The Regional Administrator will then inform the State of the determination.